

WILLIAM H. OLIVER, JR.
Brandywine Commons
2240 State Highway 33, Suite 112
Neptune, NJ 07753
(732) 988-1500 - Fax (732) 775-7404
Attorney for Debtor

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

JOHN & DOREEN McHALE,

Debtors.

Case No. 12-27513 (KCF)

Chapter 7 Bankruptcy

**DEBTOR'S CERTIFICATION IN
SUPPORT OF MOTION FOR
DAMAGES, COSTS, ATTORNEY'S
FEES AND SANCTIONS FOR
VIOLATION OF THE AUTOMATIC
STAY**

I, JOHN McHALE, by way of certification in support of this Motion, do hereby
certify and say:

1. I am the debtor in the above-captioned matter. My wife and I filed
Bankruptcy on July 13, 2012. Somerset Meadows Homeowners Association
was named as a creditor on our Bankruptcy Petition. They obtained a
judgment in the amount of \$2,735 against us.
2. After we filed the Bankruptcy, William L. Huneke, Esquire obtained the
judgment against us and presented my tenants with a letter demanding to
collect money from them and ask them that they subtract money due to me
from them for the homeowner's association. A copy of the letter is attached
hereto as EXHIBIT A.

3. My lawyer says this is a violation of the automatic stay since they are requesting monies from our tenants while we are in Bankruptcy to cover debts which I owe.
4. I am, therefore, requesting that the Court enter an order finding Mr. Huneke and Somerset Meadows Homeowners Association in violation of the automatic stay and assessing attorney's fees, sanctions and costs against him.
5. Our tenants received the notice, became very upset and moved out of the premises. We believe this is as result of Mr. Huneke's letter. We believe that we have lost at least one month's rent in the amount of \$2,150.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/ John McHale
JOHN McHALE, Debtor

Dated: October 12, 2012

SOMERSET MEADOWS HOMEOWNERS ASSOCIATION

c/o William L. Huneke
182 Jumping Brook Drive
Toms River, NJ 08755-1480
732-244-5678
Fax: 732-719-6924
EMail: BillH76 @ aol.com

President: William L. Huneke
Vice President: Robert Wood
Secretary/Treasurer: Randy Foss

July 30, 2012

TO: McHALE TENANTS

Sorry I don't have your names, but I had left the dues statement in your mailbox the other day.

The McHales have filed for Bankruptcy and are looking to leave the HOA we have here holding the tab for over \$3,000 in back dues, much to the chagrin of all of us, who now have to make up for that.

There are \$200 in current year dues and we need to collect that. We suggest that you pay and deduct \$200 from your next rent check, advising them what it was for. PLEASE contact me to discuss.

Sincerely,

William L. Huneke, President